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By: **Senators Hooper, Forehand, Kelley, Pinsky, and Teitelbaum**  
Introduced and read first time: January 29, 2003  
Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Use of Mobile Telephone by Driver Who Is a Minor -**  
3 **Prohibition**

4 FOR the purpose of prohibiting a driver of a motor vehicle who is a minor from using  
5 a mobile telephone while the vehicle is in motion; providing an exception;  
6 providing a penalty for the use of a mobile telephone under prohibited  
7 circumstances; including hand-held and hands-free mobile telephones in the  
8 prohibition; and generally relating to prohibiting a certain driver of a motor  
9 vehicle from using a mobile telephone while the vehicle is in motion.

10 BY adding to

11 Article - Transportation  
12 Section 21-1123  
13 Annotated Code of Maryland  
14 (2002 Replacement Volume)

15 BY repealing and reenacting, without amendments,

16 Article - Transportation  
17 Section 27-101(a) and (b)  
18 Annotated Code of Maryland  
19 (2002 Replacement Volume)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article - Transportation**

23 21-1123.

24 (A) IN THIS SECTION, "MOBILE TELEPHONE" INCLUDES BOTH HAND-HELD  
25 AND HANDS-FREE MOBILE TELEPHONE DEVICES.

26 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A DRIVER OF  
27 A MOTOR VEHICLE WHO IS UNDER THE AGE OF 18 YEARS MAY NOT OPERATE A  
28 MOBILE TELEPHONE WHILE THE MOTOR VEHICLE IS IN MOTION.

1 (C) SUBSECTION (B) OF THIS SECTION DOES NOT APPLY TO A DRIVER UNDER  
2 THE AGE OF 18 YEARS CALLING THE 911 EMERGENCY TELEPHONE SYSTEM OR A  
3 PUBLIC SAFETY AGENCY IN CONNECTION WITH AN EMERGENCY.

4 27-101.

5 (a) It is a misdemeanor for any person to violate any of the provisions of the  
6 Maryland Vehicle Law unless the violation:

7 (1) Is declared to be a felony by the Maryland Vehicle Law or by any  
8 other law of this State; or

9 (2) Is punishable by a civil penalty under the applicable provision of the  
10 Maryland Vehicle Law.

11 (b) Except as otherwise provided in this section, any person convicted of a  
12 misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is  
13 subject to a fine of not more than \$500.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
15 effect October 1, 2003.